

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-2029

United States of America,

Appellee,

v.

Vladimir Polyansky,

Appellant.

*
*
*
*
*
*
*
*
*

Appeal from the United
States District Court for
the District of Nebraska.

[UNPUBLISHED]

Submitted: February 7, 2003
Filed: February 19, 2003

Before LOKEN, FAGG, and MURPHY, Circuit Judges.

PER CURIAM.

Vladimir Polyansky pleaded guilty to conspiring to distribute and possess with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. § 846. The district court¹ sentenced him to 60 months imprisonment and 4 years supervised release. On appeal, his counsel has moved to withdraw and has filed a brief under Anders v. California, 368 U.S. 738 (1967).

¹The Honorable Richard G. Kopf, Chief Judge, United States District Court for the District of Nebraska.

Having carefully reviewed counsel's Anders brief, and having conducted our own independent review of the record, see Penson v. Ohio, 488 U.S. 75 (1988), we agree with counsel that there are no nonfrivolous issues in this direct criminal appeal. Among other things, we note that at the plea hearing, Polyansky affirmed he understood the plea agreement, agreed with the factual basis for the conspiracy charge, and admitted the charged conduct; that there were no sentencing objections other than Polyansky's motion for a downward departure based on an overrepresented criminal history; and that the district court granted Polyansky's departure motion, and also imposed the lowest sentence possible, given the statutory minimum.

Accordingly, we affirm, and we grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.